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In re Application of	:	OFFICE OF PETITIONS
Ostrovsky et al.	:	
Application No. 10/017,534	:	ON PETITION
Filed: October 18, 2001	:	
Attorney Docket No. 701470.19	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 2, 2004, to revive the above-identified application on the basis of unintentional delay.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 to the final Office action mailed November 24, 2003, which set a three (3) month shortened statutory period for reply. By advisory action mailed June 2, 2004, applicant was advised that the amendment submitted in response to the final Office Action had been considered, but the proposed amendment was not entered because it did not place the application in better form for appeal by materially reducing or simplifying the issues for appeal. A Notice of Abandonment was mailed on August 24, 2004.

On June 18, 2004, petitioner submitted a petition under 37 CFR 1.137(a), which was dismissed by the decision of August 13, 2004. On September 2, 2004, petitioner submitted the present petition. Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of an RCE and amendment, paid the petition fee, and made the proper statement of unintentional delay.

The application is being referred to Technology Center Art Unit 2877 for further processing.

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Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5589.

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